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# EVENING BULLETIN

IT IS THE CHEAPEST AND BEST ADVERTISING IN HONOLULU

BREVITY  
IS  
A  
VIRTUE  
when it escapes  
obscurity; but it is a fault when the  
sense is not plain. The best quality  
in advertising is clearness—that  
ONE  
WHO READS  
MAY UNDERSTAND.

STEAMER TABLE.

From San Francisco—	
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Nippon Mar u.	Oct. 14
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VOL. XII. No. 2270.

HONOLULU, TERRITORY OF HAWAII, TUESDAY, OCTOBER 7, 1902

PRICE 5 CENTS.

## FISHERY RIGHTS BEING SIFTED

Attorney Robertson Says  
Titles Must Be  
Specific.

## GEORGE DAVIS FIGHTS FOR TRIAL BY JURY

ATTORNEY STANLEY AND A. GAR-  
TENBERG CONTRADICT JOHN  
F. COLBURN'S AFFIDAVIT  
OF FORGETFULNESS.

A. G. M. Robertson argued the de-  
fense of the Territory in the fishery  
right cases this morning. He contend-  
ed that the royal mahale of fisheries  
did not confer titles any more than  
did the mahale of lands. It was held  
by the Supreme Court that claimants  
under the mahale had to go before the  
Land Commissioner to secure their titles.  
The turning point of the class of  
cases now being tested at bar is whether  
a conveyance of land having fisher-  
ies attached conveys the fisheries with-  
out specifically designating them as  
part of the property conveyed.

All of the fishery rights cases are  
the result of a section of the Organic  
Act requiring holders of proprietary  
sea fisheries to have their titles thereto  
confirmed within two years from the  
passage of the Act. Before the revolution  
of 1893 there was probably never a  
Legislature of Hawaii at which an  
attempt was not made to abolish private  
(konohiki) rights in sea fisher-  
ies.

Mr. Hatch, replying to Mr. Robert-  
son in the fishery cases, held that the  
lands awarded by the Land Commis-  
sion were in entirely different situation  
from lands granted to the Government  
and sold out by it in parcels. The  
Commission dealt with claims that  
were in some manner created before it  
came into existence. He quoted a  
quaint passage from the so-called Blue  
Laws, in which the sovereign admon-  
ished landholders with a "Hear ye" to  
look well after their holdings lest they  
should be dispossessed.

Judge Robinson's award of damages  
in Ah Hing vs. Ah On was for \$100 and  
costs.

Accounts were approved and partial  
distribution ordered in the matter of  
the estate of Robert G. Rabe, deceased.

George Davis in the case of Ah Hing  
vs. Ah On has filed a motion for a new  
trial, chiefly on the ground that Judge  
Robinson had no jurisdiction to decide  
the case without a jury trial. It was an  
action for \$5000 damages for false im-  
prisonment and defendant made a de-  
mand for a jury. The attorney says  
there is no authority in the civil laws to  
try an action of tort for damages  
without a jury.

Affidavits of W. L. Stanley and A.  
Gartenberg have been filed in reply to  
the affidavit of John F. Colburn on de-  
fendant's motion to open default in  
case of M. S. Grinbaum & Co. vs. Ka-  
piolani Estate. They contradict Mr.  
Colburn's statement that he entirely  
and absolutely forgot the subject of the  
papers served on him as defendant's  
treasurer. On the contrary, they relate  
several conversations held by them  
separately with Mr. Colburn on the  
subject, in which he admitted the debt  
and tendered part payment on account.

Vote for Camara, Independent can-  
didate for the Fourth District.

Wells, Fargo & Co. Express

TEL. MAIN 199.

Masonic Temple, with American  
Messenger Service.

# Egyptian deities

"NO BETTER TURKISH CIGARETTE CAN BE MADE."

IMPERIAL CIGAR STORE

Fort Street DISTRIBUTORS Honolulu

## A VISITING MAGNATE

SIR JAMES MACKAY  
DRIVES AROUND TOWN

DECLINES TO TALK FOR PUBLICA-  
TION ON THE CHINESE  
RIFF CONFER-  
ENCE.

Sir James Mackay, the British diplo-  
mat returning from China, declined to  
talk for publication regarding the in-  
ternational conference to arrange the  
Chinese tariff of which he was a mem-  
ber. With Lady Mackay and daughter  
he spent the few hours the Coptic was  
in port driving about town, the final  
trip being to the Moana hotel at Wal-  
kiki.

A Bulletin reporter was presented to  
Sir James at the head of the gangway  
a few minutes before the departure of  
the steamer, and he laughed off a sug-  
gestion that a few words on his recent  
mission would be acceptable. A re-  
mark to lead him into steamship mat-  
ters, in which is a magnate, was rudely  
interrupted by the Coptic's hoarse  
whistle while Consul Hoare at the  
same moment desired to have a word  
with the visitor.

Sir James is a nephew of James Lyle  
of Honolulu, now in Australia on the  
way home from round the world. He  
was not aware that his uncle lived  
here, as his parents crossed the Atlantic  
to Europe half a century ago, and he  
chatted affably with members of Mr.  
Lyle's family who went to the steamer  
to see him after discovering his pres-  
ence through the evening papers.

In youth Sir James, who is now about  
45 years old, entered the office of one  
of the great shipping concerns of Lon-  
don. He rose to be one of the direc-  
tors of several of the great steamship  
lines of the Orient, and was made a  
member of the executive council of the  
Viceroy of India. Queen Victoria  
knighted him for his services to the  
Empire.

## DEATH OF ULULANI

Ululani, the wife of Col. John T.  
Baker, died at her home, Mahiki Ranch,  
Hamakua, Sunday afternoon, after a  
prolonged illness. Deceased was a vic-  
tim of tuberculosis. She was 55 years  
of age at the time of her death. The  
funeral took place on Sunday. The  
interment taking place near the late  
home.

Deceased was, during the time of the  
monarchy, one of the best known Ha-  
waiian women. Being as she was a  
chiefess of very high rank, she was con-  
tinually associated with the aliis.  
Recognizing her ability, she was made  
Governess of Hawaii in 1886 and while  
in office, ruled her subjects well. She  
was the very last governess of the Big  
Island. Ululani succeeded Kekaulike,  
the mother of Princess David Kawana-  
nako and Cupid Kalaniano'ole, in the  
position of governess.

John T. Baker, the bereaved husband  
of the deceased, was himself Governor  
of Hawaii at one time. He too comes  
from a family of very high rank.

## KINDERGARTEN OUTING

Seventy-five or more children from  
the kindergartens of the city, including  
the Vineyard street, Kawaiahao and  
other kindergartens and Castle Home,  
passed through the streets of Hono-  
lulu in a couple of electric cars this  
forenoon and went up to the home of  
Mrs. Walter Hoffman on Judd street,  
where they spent a most enjoyable time  
playing on the lawn. Mrs. Hoffman is  
an enthusiast in kindergarten work and  
this is the second time she has had the  
children still talk of the last pleasant  
occasion of the kind which took place  
some time ago. Included among those  
at Mrs. Hoffman's this forenoon were  
white children, Chinese, Hawaiians,  
Portuguese and other nationalities.

# Hot Handed Incendiary THOUGHT TO BE Prowling In City Home

A mysterious visitor, thought by  
those who saw him to be an incen-  
diary, invaded the house of Thomas  
Dixon on Sheridan street last night,  
but escaped without being recognized.  
A little before 2 o'clock in the morn-  
ing Mrs. Dixon, who was, with two  
daughters, alone in the house, was  
awakened by a noise coming from the  
back of the house. She got out of bed  
and was astonished to see a light in  
the large dining room which lies back  
of the bedroom.

Thinking that it was Mr. Dixon who  
had come into the house by the back  
door, she entered the dining room.  
The sight that met her eyes struck her  
with surprise and consternation.  
Standing in the room, bending slightly  
forward, was a man who was entirely  
a stranger to her. In his hand he held  
a newspaper rolled up in the shape of  
a torch, one end of which was ablaze.

On seeing Mrs. Dixon enter the  
room, the intruder immediately threw  
the burning paper on the floor and

bolted through the back door. Mrs.  
Dixon followed him a little way, but  
the man easily made his escape in  
the darkness.

Thoroughly frightened by what she  
thought was a cold-blooded attempt at  
arson, Mrs. Dixon immediately tele-  
phoned to the police station. Bicycle  
Officer Nielsen was dispatched to the  
scene. He told Mounted Patrolman  
Eugene Duvauchelle, who was patrol-  
ing the King street beat, of the affair  
and Duvauchelle rode to the house to  
investigate.

He searched the premises carefully  
but failed to find anything but the half-  
consumed newspaper torch.

While Duvauchelle was standing in  
the dining room calming the excited  
ladies, a noise of someone moving in  
the back was heard. Duvauchelle and  
the ladies of the house immediately  
rushed out through the door. Back of  
the house is a building which is just  
under construction. The door facing  
the back door of the main house was

covered with a piece of cloth and Du-  
vauchelle came just in time to see a  
form disappear through it.

"There he is! There he is!" shout-  
ed the ladies, and the gallant officer  
made a jump for the man, getting him  
with a tight grip by the back of his  
neck. He then brought him forth into  
the light, when it was discovered, to  
the dismay of the ladies and the officer,  
that the captured man was Mr.  
Dixon, who had just returned home.

Dixon himself was also rather sur-  
prised at this greeting at his home-  
coming. Duvauchelle then remem-  
bered that he had passed Mr. Dixon at  
Thomas Square a short time previous  
and explanations were in order.

While the ladies of the house are in-  
clined to think that the mysterious in-  
truder entered the house to commit a  
bold attempt of arson, Duvauchelle  
believes that the fellow was probably  
a burglar and that he used his im-  
provised torch merely as a means to lo-  
cate such valuables as he was after.

## A SOCIETY IS IN NEED OF FUNDS

The regular quarterly meeting of the  
Strangers' Friend Society was held in  
the parlors of the Y. M. C. A. this fore-  
noon, at which time the secretary and  
the treasurer both reported.

The ladies find that, on account of  
the prevailing hard times and the ces-  
sation of donations, they have been  
forced to cut down on several of their  
appropriations of money to sources  
where it is most satisfactory. Thus, for  
instance, the ladies were in the habit  
of giving \$35 a month to the Asso-  
ciated Charities. They have been  
forced to cut this to \$30.

The appropriation of \$10 a month to  
the Castle Home has been cut to \$5 and  
the money given monthly to a poor sick  
and needy girl has had to be withdrawn  
altogether.

The Strangers' Friend Society is one  
of the oldest charitable organizations in  
the city and many a poor person has it  
helped out of distress. The prevailing  
hard times makes the work of this  
body of charitably inclined ladies all  
the more necessary and yet this is the  
very time that the donations have ceased  
altogether. It might be stated by  
way of information to those who are  
inclined to contribute to the cause, that  
the society has not had one cent since  
October of 1901, a whole year ago.

## JAMES H. BOYD ORDERED HOME BY THE GOVERNOR

Governor Dole forwarded by the  
steamer Sierra last Wednesday a re-  
quest to James H. Boyd, Superintendent  
of Public Works, to return to Hono-  
lulu and resume his official duties.

This communication amounts, as  
Secretary Cooper said in reply to a  
question today, to a cancellation of Mr.  
Boyd's leave of absence. A natural in-  
ference would be that unless the Super-  
intendent responds in person, or a re-  
asonable excuse for further absence, his  
office will be liable to be declared  
vacant.

Secretary Cooper said nothing was  
being done at present toward the fill-  
ing of vacancies in office already exist-  
ing.

First Lieut. Edwin W. Rich, As-  
sistant Surgeon, U. S. A., now on duty at  
the U. S. General Hospital, San Fran-  
cisco, has been ordered to the military  
hospital here for duty. He is assigned  
temporarily to relieve Col. Joseph B.  
Girard, Assistant Surgeon General, who  
is to proceed to San Francisco in the  
Alameda.

## ARSON CASE GOES TO HIGHER COURT

The case of Akoni Au, a Chinese,  
charged with arson in the first degree  
occupied almost all the forenoon in  
the Police Court today. Akoni Au is  
alleged to have put fire to Mrs. Ku-  
moo's house in Manoa valley one even-  
ing last week. Attorney Peters con-  
ducted the case for the prosecution  
while D. H. Case appeared for the de-  
fendant.

The prosecution put quite a number  
of witnesses on the stand the main  
points brought out by their testimony  
being that Akoni Au, who originally  
had leased a piece of land in the vicin-  
ity from Mrs. Kumoo, had had it  
taken away from him as he neglected  
to take proper care of it. As a conse-  
quence there had been a number of  
quarrels between the complainant and  
the defendant for the past two years.  
The troubles had culminated a few  
days before the fire took place, when  
the complainant upon the rather un-  
willing consent of the defendant, had  
torn down the defendant's house on the  
premises mentioned. Finally the de-  
fendant had been seen by two witness-  
es at the time of the fire. He was then  
hurriedly leaving the scene of the fire.  
The defense declined to produce any  
testimony and the case was committed  
to the Circuit Court for trial.

# LIVELY NEWSBOYS WILL FEAST ON THANKSGIVING DAY

The annual Thanksgiving feast of the Bulletin newsboys will be accompanied by a pleasant departure follow-  
ing the lines of the Bulletin's prize bicycle contest, which attracted widespread interest. The victors in that  
contest, Ah Far and the Lubeck boys, have graduated from the ranks of newsboys and are now engaged in other  
business pursuits, in which they are proved to be capable hustlers. Their places have been taken by ener-  
getic youngsters, not a whit less interested in their work, who in many instances turn in their earnings to help  
out the finances of the home.

The popularity of the Bulletin as the always newsy, always reliable news medium of Honolulu, has ad-  
ded to the ranks of the sellers, till this Bulletin has the largest staff of newsboys of any paper in the city. The  
Bulletin now has over fifty boys who regularly purchase papers and every day sell all the way from 70 to 5  
papers each. The big news merchants of the staff today were the little fellows of a year or two ago, and  
the smaller news vendors are steadily working their way up in the lists.

With a view to giving the news merchants special reward for their pleasant work, the Bulletin has planned  
to give ten prizes to the boys selling the largest number of papers previous to the annual Thanksgiving Day  
luncheon. The contest beginning today will close at 6 o'clock Wednesday evening, November 26th. The prizes will  
be awarded in the early morning of Thanksgiving Day when the boys start out for their feast. The list of  
prizes follows:

- |                     |   |
|---------------------|---|
| First Prize,.....   | Order on Whitman & Co. for Argonaut Bicycle     |
| Second Prize,.....  | Order on Hub Clothing Store for Suit of Clothes |
| Third Prize,.....   | Order on H. W. Foster for Waltham Watch         |
| Fourth Prize,.....  | \$10.00 Cash                                    |
| Fifth Prize,.....   | \$7.50 Cash                                     |
| Sixth Prize,.....   | Thanksgiving Pig                                |
| Seventh Prize,..... | Thanksgiving Turkey                             |
| Eighth Prize,.....  | Thanksgiving Turkey                             |
| Ninth Prize,.....   | Thanksgiving Chicken                            |
| Tenth Prize,.....   | Thanksgiving Chicken                            |

## ATTACKS SABBATH LAW

BROOKS SAYS SECTION  
IS UNCONSTITUTIONAL

BARBERS SHOULD BE ALLOWED  
TO CARRY ON BUSINESS ON  
SUNDAYS AS WELL  
AS OTHERS.

Attorney F. M. Brooks in the Po-  
lice Court this afternoon made a vig-  
orous attack on the section of the Sab-  
bath laws which prohibits barbers  
from carrying on their business on  
Sundays after 9 o'clock. There were  
five cases in the court today in which  
Chinese barbers were charged with  
having violated this particular section  
of the law.

Brooks did not contest the evidence  
given in the case, that the defendant  
had shaved a man on Sunday after 9  
o'clock. He pointed out to the court  
that the section, besides being nonsen-  
sical, was also unconstitutional, in  
that it allowed certain classes of busi-  
ness to be carried on on Sundays while  
others, as in the case before the court,  
which did not disturb the peace of  
anyone, were shut down upon.

To further strengthen his already  
strong arguments on the point, Brooks  
stated that he was ready to quote au-  
thorities on the case, where similar  
laws had been held to be unconstitu-  
tional by the Supreme Courts of other  
States. He offered, however, to defer  
quoting his authorities.

Deputy Sheriff Chillingworth, who  
conducted the case of the prosecution,  
stated to the court that he had not pre-  
pared himself to answer on this point  
brought up by Mr. Brooks and asked  
that the case and the other similar  
ones, be continued until tomorrow.

## OFFICER BINKS' LAST

The present trip is the last which  
Second Officer J. W. Binks of the  
Coptic will make on the San Fran-  
cisco-Oriental run. After this trip Mr.  
Binks will return to London to take  
a position on one of the White Star  
Line's boats running either to Liver-  
pool and New York or between Liver-  
pool and Australia. Mr. Binks has  
now finished his three years in the  
Oriental service and will therefore, as  
is customary, go back to a European  
run. He is well known in this port  
as well as in all the ports touched by  
the Pacific Mail boats in the Orient,  
and is popular at all places between  
San Francisco and Hongkong. He  
was formerly engaged in trading on  
the West African coast.

## ONLY TWO MORE DAYS IN WHICH TO REGISTER.

There was no meeting of the Honolulu  
and Hoola Lahui Society this morn-  
ing as was announced in the Adver-  
tiser. The meeting takes place tomor-  
row morning at 10 o'clock and every  
member is expected to be present.

The Honolulu Engineers' Society met  
last evening and heard a number of  
papers. The principal one was on  
steam turbines, the writer being W. E.  
Skinner. Another was on the con-  
sumption of baggage by A. Connon of  
the Iron Works. C. A. Musgrave, C.  
K. Simpson and S. J. Carter were  
elected to membership.

## BASEBALL PARK BADLY NEEDED

Fine Place Near Center  
Of City Could Be  
Used.

WOULD REQUIRE \$3000  
TO CARRY OUT PLAN

EASY ACCESS FROM BOTH VINE-  
YARD AND LILIAH STREETS.

ADVANCES WOULD BE  
PAID BACK.

Baseball can never die out in Hono-  
lulu. In fact, it is the most popular  
game played here. The past season  
showed what could be done by organi-  
zed effort, the result being a series of  
contests, the majority of which were  
eminently satisfactory from a stand-  
point of excellent playing. Through  
the kindness of the Punahou trustees,  
the baseball men were allowed to use  
the college campus, without which the  
season's games would have come to  
an end in about the middle of the se-  
ries for a lack of a proper place for  
the accommodation of the public.

However, the Punahou grounds left  
a great deal to be desired and errors  
were marked up against the outfield-  
ers that on a good field would never  
have occurred. The trees round about  
were likewise a constant nuisance and  
prevented many a batter being caught  
out on fouls or long flies. Again, the  
people who went to see the games  
were forced either to stand or sit on  
the ground, or else rent chairs at two  
for a quarter.

Another drawback was found in the  
case of access to the grounds, allow-  
ing many people to enter without go-  
ing through the formality of putting  
up the usual quarter. In this connec-  
tion, the names of some of the best  
people of Honolulu could be mention-  
ed. It might have been forgetfulness  
of course, but when, on two separate  
occasions, the same people were seen  
to enter the grounds of a Saturday  
afternoon from the mauka side, then  
in these special instances the mildest  
thing that can be said is that there  
was a convenient absent-mindedness.

Coming to the Makiki recreation  
grounds, the only other place in town  
where baseball can be played at the  
present time, it must be said that  
many objections at once present them-  
selves.

In the first place, in order to keep  
up the interest of the players, there  
must be assurance that at least their  
expenses shall be paid. With games  
on the Makiki grounds, it would not  
be possible to collect any admission fees.  
The place is a public park and free to  
everyone. It is not necessary to state  
any other objections. This one fact in  
itself would be enough to preclude the  
possibility of a successful series of  
games on the Makiki grounds.

Of course, the Punahou campus  
might be used next season, but the  
many objections, together with the  
added fact that there is always an un-  
certainty as to whether the grounds  
can be secured, has caused the base-  
ball men to look elsewhere.

(Continued on Page 8.)



## Ladies' Velours Calf....

Here's a popular priced shoe  
for women. The makers of this  
shoe have succeeded in combin-  
ing all the qualities of a good  
shoe without making it too high  
priced.

It is made with Cuban heel,  
extension welt sole and of the  
best velours calf. An ideal and  
strongly built walking shoe.

## Price \$4.50

Manufacturers Shoe Co., Ltd  
1057 FORT STREET